

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-cv-23497-BLOOM/Otazo-Reyes

JANE DOE,

Plaintiff,

v.

MIAMI GARDENS SQUARE ONE, INC.,
individually and d/b/a TOOTSIE'S
CABARET MIAMI,

Defendant.

/

ORDER TO FILE PROOF OF SERVICE

THIS CAUSE is before the Court upon a *sua sponte* review of the record. Federal Rule of Civil Procedure 4(m) requires service of the summons and complaint to be perfected upon defendants **within 90 days** after the filing of the complaint.¹ Plaintiff filed this action on September 12, 2023, *see* ECF No. [1], generating a **December 11, 2023**, service deadline. A summons has been issued as to Defendant, *see* ECF No. [3], but service has not been perfected. Accordingly, it is **ORDERED AND ADJUDGED** that, within **seven (7) days** of perfecting service upon Defendant, Plaintiff shall file proof of such service with the Court. Failure to effectuate service of a summons and the complaint on Defendant by the stated deadline will result in dismissal without prejudice and without further notice.

¹ The 90-day timeframe does not apply to service of process upon parties in a foreign country. *See* Fed. R. Civ. P. 4(m) ("This subdivision (m) does not apply to service in a foreign country under Rule 4(f), 4(h)(2), or 4(j)(1), or to service of a notice under Rule 71.1(d)(3)(A).").

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DONE AND ORDERED in Chambers at Miami, Florida, on October 16, 2023.



BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record